

## Message Text

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ACTION L-03

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E.O. 11652: N/A

TAGS: PGOV. PFOR. UK

SUBJECT: CABINET TASK FORCE ON QUESTIONABLE PAYMENTS

ABROAD: FOREIGN LAWS ON QUESTIONABLE PAYMENTS

REF: STATE 94647

1. FOLLOWING INFORMATION HAS BEEN PROVIDED BY UKG IN  
RESPONSE TO REFTEL QUESTIONNAIRE. ANSWERS KEYED TO  
QUESTIONS. PERTINENT SECTIONS OF UK LAW OUCHED TO L/PM.

(A) YES; APPLICABLE UK LAWS ARE AS FOLLOWS:

COMMON LAW OF BRIBERY AND CORRUPTION' PUBLIC BODIES  
CORRUPT PRACTICES ACT 189, PREVENTIO OF CORRUPTION ACT  
1906, PREVENTION OF CORRUPTION ACT 1916. AND REORESENTA-  
TION OF THE PEOPL ACT 1949.

(B) YES. EVERY OFFICR OR OFFICIAL IS DUTY BOUND  
TO REPORT TO HIS SUPERIOR OFFICER ANY SUCH APPROACHES  
MADE TO HIM OR ANY OFFER OF PAYMENT OF ANY KIND OR ANY  
OFFER OF ANY REWARD IN ORDER TO INFLUENCE HIS BEHAVIOUR  
IN OFFICE OR TO INDUCE HIM TO ACT IN A MANNER CONTRARY  
TO THE ACCEPTED PRINCIPLES OF HONESTY AND INTEQRITY.  
THIS IS AN IMPLEMENTATION OF THE COMMON LAW.

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(C) YES. THE SPECIFIC LEGISLATION QOVERNING

INVESTMENT TRANSACTIONS. EXCHANGE CONTROL LAWS AND REGULATIONS CONTROL THE TRANSACTIONS FOR INVESTMENTS OVERSEAS WHETHER THESE ARE CONDUCTED BY THE PRINCIPAL OR BY AN AGENT ON BEHALF OF THE PRINCIPAL. AS REGARDS THE CONDUCT AND INTEGRITY OF THE AGENT AND THE PREVENTION OF CORRUPTION WHERE AGENTS ARE CONCERNED, THIS IS GOVERNED BY THE PREVENTION OF CORRUPTION ACT 1906 WHICH COVERS ALL TYPES OF AGENCIES.

(D) THERE IS NO SPECIAL UK LEGISLATION PROHIBITING OR RESTRICTING CONTRIBUTIONS BY INDIVIDUALS OR CORPORATIONS TO POLITICAL PARTIES AS SUCH, BUT ANY DIRECT ATTEMPT BY FINANCIAL INDUCEMENT TO INFLUENCE ANY ELECTOR OR THE COURSE OF FREE ELECTIONS IS A CRIMINAL OFFENCE WHICH IS PUNISHABLE UNDER THE REPRESENTATION OF THE PEOPLE ACT 1949. THERE ARE HOWEVER RESTRICTIONS ON THE EXPENSES A PARLIAMENTARY CANDIDATE CAN INCUR IN THE PARLIAMENTARY CANDIDATE ELECTIONS.

(E) YES. SECTION 19 OF THE COMPANIES ACT 1967 REQUIRES A COMPANY TO DISCLOSE IN THE DIRECTORS REPORT FOR THE FINANCIAL YEAR IN QUESTION DURING WHICH ANY SUM IN EXCESS OF 50 POUNDS HAS BEEN PAID OR CONTRIBUTED BY THE COMPANY FOR POLITICAL OR CHARITABLE PURPOSES OR BOTH. THE AMOUNT OF THE MONEY MUST BE STATED. IF IT HAS BEEN PAID FOR POLITICAL PURPOSES, THE FOLLOWING PARTICULARS HAVE TO BE STATED: THE NAME OF EACH PERSON TO WHOM THE MONEY HAS BEEN GIVEN; AND IF THE MONEY HAS BEEN GIVEN TO A POLITICAL PARTY, THE NAME OF THE PARTY AND THE AMOUNT GIVEN. THERE IS NO REQUIREMENT FOR INDIVIDUALS TO DISCLOSE SUCH PAYMENTS.

(F) YES. THIS IS COVERED BY THE COMMON LAW GOVERNING BRIBERY AND CORRUPTION IN GENERAL AND THE STATUTORY PROVISIONS LISTED IN THE ANSWER TO QUESTION A.

ARMSTRONG

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